

EXHIBIT H

CONFIDENTIAL

Message

From: Joe Sullivan [joesullivan@uber.com]
Sent: 1/20/2016 6:09:02 AM
To: Salle Yoo [salle@uber.com]
Subject: FW: Antitrust Lawsuit in SDNY Against Travis <A/C PRIV>
Attachments: Ergo_Investigation Report_19January2016.pdf

Hi -

Here is the report you requested. Please let me know if you have any feedback on how the report could be better, as we are regularly testing out new alternatives. Also if there are areas we can go deeper, let me know that as well.

Thanks,
Joe

From: Mat Henley <mat@uber.com>
Date: Tuesday, January 19, 2016 at 9:54 PM
To: Joe Sullivan <joesullivan@uber.com>
Cc: Craig Clark <craig.clark@uber.com>
Subject: Re: Antitrust Lawsuit in SDNY Against Travis <A/C PRIV>

ATTY CLIENT COMMUNICATION - PRIVILEGE

Joe,

Attached is the draft diligence document. Craig, any guidance?

Mat

From: Salle Yoo <salle@uber.com>
Date: Wednesday, December 16, 2015 at 1:42 PM
To: Joe Sullivan <joesullivan@uber.com>
Subject: Fwd: Antitrust Lawsuit in SDNY Against Travis

ATTY CLIENT COMMUNICATION - PRIVILEGE

Joe,

Could we find out a little more about this plaintiff?

Thanks,
Salle



REPUTATIONAL INVESTIGATION: Spencer Meyer

Prepared for
Mr. Craig Clark
Legal Counsel
Uber Technologies
San Francisco, CA 94103

19 January 2016

The following is a draft report of an investigation of a complaint against Uber CEO Travis Kalanick. This report contains Confidential and/or Privileged information and is protected under Attorney-Client Work Product Privilege.

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Key Findings

Ergo's investigation of Spencer Meyer unearths a somewhat unlikely plaintiff in the price-fixing complaint filed against Travis Kalanick. Primary source interviews, supported by secondary sources, paint Meyer as an up-and-coming and dedicated conservationist with a singular focus on building his career. Sources speak of Meyer's personality in glowing terms: they find him to be professional, thoughtful, and trustworthy. Friends and colleagues add that he is non-confrontational, with one source noting that in the years she has known Meyer he never once lost his composure.

- At the same time, sources assert and secondary research indicates that he has no political leanings or affinities to social causes.

According to one friend and peer, Meyer believes he has a legitimate complaint against Uber's surge pricing, a grievance that he felt was worth pursuing. However, given Meyer's forthright, career-focused personality, we speculate that his lawyer Andrew Schmidt—a fellow Dartmouth classmate and friend—may have encouraged and induced Meyer to pursue his personal grievance on a grander scale. Schmidt is a labor lawyer with a record of fighting for social justice and leveraging class-action suits.

- This lawsuit—particularly if successful—would have enormous benefits for Schmidt, who would see his social goals furthered and his professional profile raised.
- Moreover, Meyer is probably an ideal plaintiff for Schmidt given Meyer's positive reputation, his environmental focus, and no prior legal involvements.

Ergo Comment: *Meyer's carefully built professional focus and persona—and lack of supporting causes outside of environmentalism—is somewhat at odds with the potential backlash of this lawsuit. As such, Meyer may be particularly sensitive to any publicity that tarnishes his professional reputation.*

Recommended Additional Research: Given the relationship between Spencer Meyer and Andrew Schmidt—and the limited information available on Meyer's motivations for engaging in the complaint, we recommend additional research and investigation on:

- The personal and professional reputation of Andrew Schmidt and his relationship with—and perspectives on—Spencer Meyer initiating the complaint.



OVERVIEW

Primary and secondary research conducted on Spencer Meyer presents a cohesive and consistent picture of someone in love with the outdoors, and whose passion has led him to become a sustainable land use conservationist focusing on the New England region. Currently, Meyer is the NatureNet Fellow at The Nature Conservancy and Yale University, a two-year position he began in the summer of 2014. As indicated below, he will likely be assuming a new position in the middle of 2016 that may lead him to leave New Haven.

Sources attest that Meyer has an outstanding reputation due to his professional accomplishments and personal qualities. Most describe him in positive terms, highlighting that he is a personable, honest, and trustworthy. Our research and analysis indicates that Meyer has a deep love for the New England outdoors, a passion that he cultivates both in his professional and personal life. **Described by sources as a consistent and even predictable person, Meyer is said not to mask or hide ulterior motives in his conduct.**

Meyer developed strong personal friendships during his time in college at Dartmouth. Several sources believe that Meyer met Andrew Schmidt—the lawyer in this case—while both were members of the Dartmouth Outing Club, an organization in which they still participate as alums. Meyer describes Schmidt as “a good friend.”

- Andrew Schmidt began his career as a personal injury lawyer, but then founded the non-profit Towards Justice in Colorado to defend workers’ rights before moving to Maine in 2013.

Ergo’s research did not unearth evidence of hidden motives on Meyer’s part for levelling his complaint against Travis Kalanick.

- **One source—a colleague and friend of Meyer—said that he (Meyer) filed that suit because, “he has reason for it and felt it was worth pursuing.”** He added that (paraphrasing), *he has a lot going on in his head all the time, but he would never act in a rash sort of way. He is not fighting for any particular cause.*

REPUTATION REVIEW

Professional Reputation

Meyer’s professional history shows an earnest effort to become a professional conservationist, a feat that our sources believe he has moved toward with a great deal of success. Sources also attest that Meyer has an outstanding personality and even-keeled temperament. A colleague and friend describes him as “a very rational person.”

- Our research shows that Meyer also comes across as conscientious, prudent, and circumspect; he has a carefully curated and consistent public persona on social media.
- **However, one source who has known him personally and professionally for 15 years stated that Meyer gets enamored with “ideas”, and appears at times to be, “unfamiliar with the realities and demands of the real world.”**

Sources familiar with his work at the University of Maine and at Yale highlight the quality of his research, his leadership and mentoring skills, and his positive personal qualities. Moreover, they repeatedly referred to his professional conduct, and they could not think of any personal issues that would derail the upward trajectory of his professional career. For example, he is described as:

- **Flourishing professionally.** Colleagues tend to describe his work as “thoughtful” and “very thorough.” According to sources, Meyer’s peers at the University of Maine held him in high regard, believing that he was



a cut above his cohort, and they often tried to emulate him in the hope of attaining a similar level of success. On the other hand, seasoned researchers offer more reserved compliments of Meyer's work, describing it as "above average," but they do not believe that he's top of the line in his profession.

- » Secondary sources show that Meyer has won several accolades for his work. Not only is he presently a NatureNet Fellow at The Nature Conservancy and Yale University, but he won an award for the best dissertation from the College of Natural Sciences, Forestry, and Agriculture at the University of Maine. Secondary sources indicate that he has won nine awards for his academic work since 2010.
- **Charming and steady.** All sources speak of Meyer's personality in glowing terms, agreeing that he is professional, conscientious, and trustworthy. They explain that he is a "people person," who looks to collaborate with others, is non-confrontational, and can speak to many different stakeholders. They add that Meyer is very affable, and one source who attended graduate school with him explains that he has "a very good presence but he doesn't over step. I never once saw him get him bent out of shape about anything."
- **A natural leader.** Sources assert that Meyer's personal qualities make him a good leader. A former colleague explains, "he's above the norm, particularly in areas of leadership and organization. He's someone peers look to for guidance." This same source observes, "he is able to work well with a variety of people. A star wherever you put him."

A group of us at U. Maine had a saying 'what would Spencer do?' He was seen as organized and always in control. He was pretty stellar.

- Colleague at the University of Maine.

A former colleague predicts that he plans to leverage his academic credentials to work for an environmental conservation NGO, and that his long-term goal is to run a large environmental NGO. One source, Meyer's research analyst, reveals that after his fellowship at Yale ends in the summer of 2016, Meyer will likely accept a position at a land trust organization in the New England area.

- She speculates that Meyer may leave New Haven as a result of this appointment.
- Another source, Meyer's landlord, confirms that he and Meyer are presently discussing whether to renew the lease on his New Haven apartment for an additional year.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

